



PATENT
DP-305565

AF 3683
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bryan P. Riddiford et al.)
Docket No.: DP-305565) Examiner: Williams, Thomas J
Serial No.: 10/081,122)
Filed: February 22, 2002) Art Unit: 3683
Title: FAST RELEASE MODE IN A FORCE)
GENERATING APPARATUS) Confirmation Code: 8542

TERMINAL DISCLAIMER TO OBLIGATE
A DOUBLE PATENTING REJECTION (37 CFR 1.321(c))

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Final Office Action dated June 2, 2004, in which claims 6-13 and 15-17 were subjected to a judicially created double patenting rejection over claims 6-13 and 15-17 of US Patent No. 6,655,756 (Riddiford et al.) in view of US Patent No. 5,496,102 (Dimatteo et al.), the following Disclaimer is submitted.

DISCLAIMER

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 6,655,756 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and Patent No. 6,655,756 are commonly owned. This agreement runs with any patent granted on the instant application, the entire right, title and interest of which is owned by Delphi Technologies, Inc. by virtue of an assignment recorded in the United States Patent and Trademark Office on April 12, 2002, at Reel 012806, Frame 0982, and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Patent No. 6,655,756, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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It is requested that the Disclaimer Fee under 37 CFR 1.20(d), as well as any additional fees required by this paper, or credit of any overpayment, be charged to Deposit Account 50-0831, Delphi Technologies, Inc.

Applicants submit that the present application is now in condition for allowance and respectfully request that all claim rejections now be withdrawn, and the application be granted.

Should there be any questions regarding this submission, the Examiner is respectfully invited to telephone the undersigned at (248) 813-1250.

Respectfully submitted,



Michael D. Smith
Registration No. 40,181

Petitioner, Attorney for Applicants

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June 8, 2004
Enc. Post Card

CERTIFICATE OF MAILING

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in an envelope as first class mail addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 8, 2004.

Suzanne Britt
Suzanne Britt
June 8, 2004
Date